

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fallon et al.

Art Unit: 1633

Serial No. : 09/739,933

Petitions Attorney: Douglas Wood

Filed : December 18, 2000

Title : COMPOSITIONS AND METHODS FOR MANIPULATING GLIAL
PROGENITOR CELLS AND TREATING NEUROLOGICAL DEFICITS

Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF GREGORY EINHORN UNDER 37 CFR 1.47(a)

I, Gregory Einhorn, declare and state that:

1. I am an employee of Fish & Richardson, P.C., attorneys for the Regents of the University of California, assignee of and real party-in-interest for the above-referenced patent application.
2. I have first hand knowledge regarding the unavailability of Dr. James Steven Reid, one of the inventors of the subject patent application.
3. I personally assisted in the preparation and filing of the above identified patent application in the United States Patent and Trademark Office on December 18, 2000. I am informed and believe that on multiple occasions, Dr. Reid has been provided a copy of the subject application. I am informed and believe that on December 27, 2000, a copy of the filed patent application was provided to Dr. Reid. On June 8, 2001, I personally sent a Combined Declaration and Power of Attorney for Dr. Reid's signature and another copy of the patent application, via express mail, to the following address which Dr. Reid stated was his current address:

P.O. Box 7683

Berkeley, CA 94707

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JAN 14 2002

OFFICE OF PETITIONS

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

October 23, 2001

Lucille M. Begalla


Lucille M. Begalla

A true and correct copy of the cover letter accompanying the above-identified documents and certified mail receipt is attached. I am informed and believe that Dr. Reid received the papers sent on June 8, 2001, and refused to sign the declaration.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

10/23/01


Gregory Einhorn, Ph.D., D.D.S.

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Petitions Attorney: Douglas Wood

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Washington, D.C. 20231

DECLARATION OF MICHAEL REED UNDER 37 CFR 1.47(a)

I, Michael Reed, declare and state that:

1. I am an employee of Fish & Richardson, P.C., attorneys for the Regents of the University of California, assignee of and real party-in-interest for the above-referenced patent application.
2. I have first hand knowledge regarding the unavailability of Dr. James Steven Reid, one of the inventors of the subject patent application.
3. I personally assisted in the preparation and filing of the above identified patent application in the United States Patent and Trademark Office on December 18, 2000. I am informed and believe that on multiple occasions, Dr. Reid has been provided a copy of the subject application. I am informed and believe that on December 27, 2000, a copy of the filed patent application was provided to Dr. Reid. On June 8, 2001, a Combined Declaration and Power of Attorney for Dr. Reid's signature and another copy of the patent application was sent, via express mail, to the address listed below. I am informed and believe that Dr. Reid received the papers sent on June 8, 2001, and refused to sign the declaration. On August 9, 2001, I personally sent, via certified mail, another Combined Declaration to the following address which Dr. Reid stated was his current address:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 23, 2001

Date of Deposit

Signature Lucille M. Begalla

Lucille M. Begalla
Typed or Printed Name of Person Signing Certificate

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Page : 2

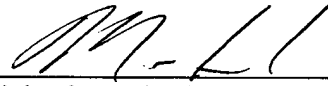
Attorney's Docket No.: 07306-021001 / 1997-284-3

P.O. Box 7683

Berkeley, CA 94707

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Michael Reed, Ph.D.

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